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RELEASED IN PART
B1, 1.4(D), B7(C)

E64

ACTION WHA-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	A-00	CCO-00	CG-00
	CIAE-00	COME-00	CTME-00	INL-00	DIM-00	DOEE-00	DOTE-00
	PERC-00	SRPP-00	DS-00	EB-00	EUR-00	EXIM-01	OIGO-00
	FAAE-00	VC-00	FRB-00	OBO-00	SSA-01	TEDE-00	INR-00
	INSE-00	IO-00	LAB-01	L-00	CAC-00	VCE-00	M-00
	AC-01	NRCE-00	NSAE-00	OCS-03	OIC-02	OMB-01	DHS-00
	OPIC-01	OPR-01	PA-00	PM-00	PRS-00	ACE-00	P-00
	SCT-00	IRM-00	SSO-00	SS-00	TRSE-00	USIE-00	USSS-00
	ASDS-00	PMB-00	DSCC-00	PRM-00	DRL-01	G-00	NFAT-00
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FBI WASHDC
NSC WASHDC
SECDEF WASHDC
USCINCSO MIAMI FL
USMISSION USUN NEW YORK

C O N F I D E N T I A L BUENOS AIRES 002242
STATE FOR WHA/BSC, WHA/EPSC, EB/IFD/OMA
NSC FOR JOANNA WALLACE AND JASON SINGER
EX-IM BANK FOR MICHELE WILKINS
TREASURY FOR IA NANCY LEE, HEIDI CRUZ, BILL BLOCK, JAMES
JOHN AND RAMIN TOLOUI AND FOR OCC CARLOS HERNANDEZ
USDOC FOR ALEXANDER PEACHER
USDOL FOR ILAB - PAULA CHURCH AND BOB WHOLEY
PASS FED BOARD OF GOVERNORS FOR PATRICE ROBITAILLE
USCINCSO FOR POLAD
FBI FOR

B7(C)

E.O. 12958: DECL: 07/09/2013
TAGS: PGOV, PREL, PTER, AR
SUBJECT: 1994 AMIA BOMBING TRIAL: LATEST DEVELOPMENTS

REF: A. BUENOS AIRES 775
B. BUENOS AIRES 823
C. 02 BUENOS AIRES 3405
D. 02 BUENOS AIRES 3904

Classified By: Ambassador James Walsh. Reasons 1.5 (B) and (D).

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: OSCAR J OLSON
DATE/CASE ID: 11 DEC 2008 200705645

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1. (C) SUMMARY: The public trial of 20 suspects accused as the "local connection" in the 1994 AMIA Jewish Community Center terrorist bombing continues, with an increased focus in recent weeks on the GOA's investigation itself. This has generated new differences and divisions among the complainants representing victims' families and survivors. The new Kirchner government has given initial indications it will take a much tougher line with Iran and has issued a decree providing for broader disclosure in the trial of the intelligence agency's investigation.

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END SUMMARY.

BACKGROUND ON TRIAL

2. (U) The public oral trial of 15 police officers and 5 civilians accused as accessories in the 1994 AMIA bombing, which began in September 2001, continues. Over 1,200 witnesses have testified to date and another 200 are expected to testify before the trial concludes, sometime towards the end of 2003. The early portion of the trial established the facts of the case, including that the attack was carried out by an explosive-laden vehicle, the engine of which was found in the ruins and which serves as a critical link to the suspects on trial in what is known as the "local connection."

3. (U) A panel of three judges is hearing the oral trial in which two separate groups of "complainants" are represented. The first group, including representatives of the Jewish organizations DAIA/AMIA and "Family and Friends of AMIA Victims," has long worked closely with state prosecutors (who in turn must coordinate with investigating Judge Galeano) and has been until recently well disposed to and supportive of the GOA's investigative efforts. The other more confrontational group, Memoria Activa, represents survivors and family members who have been generally suspicious of the government's investigation and intent of proving a GOA link

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to a coverup of who was responsible for the attack. After a March 2003 meeting between DAIA (Delegation of Israelite-Argentine Associations) authorities and then Presidential candidate Carlos Menem, the leaders of the more moderate "Family" group moved closer to the Memoria Activa position. They criticized DAIA leaders and said that they were convinced the sole objective of the DAIA leadership was the "systematic and obsessive defense of Judge Juan Jose Galeano and the official story," seeming to imply that Galeano and other former GOA officials, including President Menem himself, have been involved in either a coverup or at least have been responsible for serious mistakes in the investigation.

4. (SBU) In recent months, the trial, now adjourned for a winter recess, has focused primarily on the police investigation, including the role of the State Secretariat IRES 002242

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for Intelligence (SIDE) as well as the actions of investigating Judge Galeano. Prosecutors expect further police/SIDE testimony when the trial resumes in early July, based on the Kirchner government's recent decision to lift the restriction on SIDE officers testifying based on the argument of state secrecy (see below). Separately from the trial, Judge Galeano and the prosecutors continue to investigate the international connection (ref A) of the AMIA bombing.

5. (SBU) In January 2003 and under pressure from then President Duhalde to complete its investigation, SIDE handed over a detailed final report on the attack to Duhalde and to Judge Galeano. Prosecutors in the AMIA trial say they found the report very useful, and, based partly on the information it contained, asked Galeano in early 2003 to issue arrest orders for 28 individuals noted in the SIDE report as responsible for the attack. On March 5, Judge Galeano, issued international arrest orders for 4 Iranian officials (see ref B). In May, Galeano also requested the arrest of a leader of the Lebanese Hezbollah, Imad Moughnieh, already wanted for the 1992 bombing of the Embassy of Israel. The prosecutors and complainants believe Judge Galeano should issue arrest orders for more suspects, but the judge has argued that the evidence against the remaining suspects is

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not yet strong enough. .

6. (U) The Duhalde Government, through the Foreign Ministry, delinked itself from Judge Galeano's March arrest orders, emphasizing the separation of the judiciary and the executive (refs A and B). The Foreign Ministry also publicly noted its concern that significant Argentine exports to Iran could be put in jeopardy by the arrest requests. In response, Iran repeated its frequent denials of involvement in the attack and threatened Argentina with "appropriate measures" if the GOA did not retract the arrest orders.

NEW TOUGHER GOA APPROACH

7. (U) The first hints of new and tougher approach to the AMIA investigation came when Foreign Minister designate, Rafael Bielsa, was quoted in the press on May 23, before taking office saying "the extradition requests that Judge Juan Jose Galeano has made are not just the expression of one branch of state power. Galeano's request should be supported by the Nation." In response to a question about whether this would hurt relations with Iran, Bielsa went on to say: "One would have to see if Iran asserts that the persons requested by Galeano have some kind of protection. If that were so, it would be recognizing that they have done nothing more than follow orders of the State. We will see how Iran reacts...."

Bielsa has not spoken publicly on the issue since assuming office.

8. (U) While the Duhalde government had shared considerable information from the SIDE investigation with the judges presiding over the AMIA trial, it appealed an order by the court to open SIDE's intelligence files and limited the information and testimony made available in the trial. President Kirchner and new SIDE chief Sergio Acevedo, however, announced on June 5 that SIDE would open only to parties involved in the trial all of its files on the AMIA investigation and issued a Presidential decree to this effect. Furthermore, they said all 14 of the SIDE staff involved in the investigation could testify in the trial, rather than just the five supervisory level officials previously made available. The actual decree includes a clause allowing SIDE to edit out of any testimony circumstances that might reveal intelligence sources and methods.

-----3 OF 03 BUENOS AIRES 002242

STATE FOR WHA/BSC, WHA/EPSC, EB/IFD/OMA

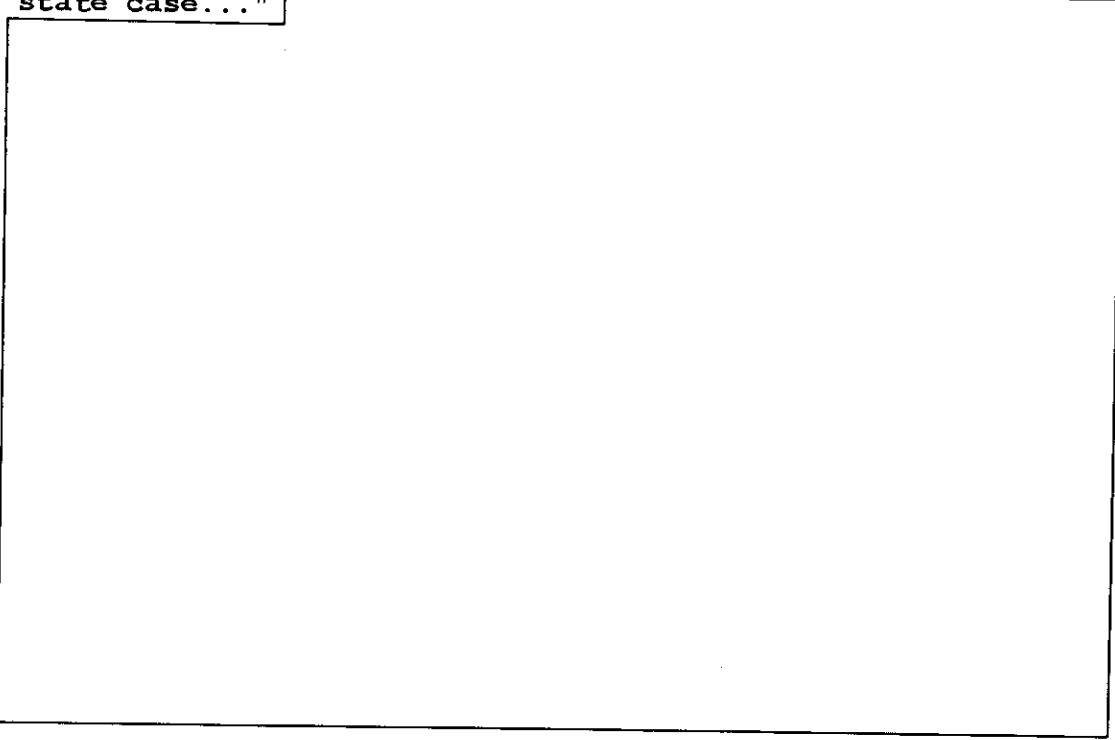
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DAIA Meeting with Ambassador

9. (C) President of the AMIA organization, Abraham Kaul, publicly welcomed the GOA decree allowing disclosure of previously protected SIDE information. He said that "for the first time, nearly nine years since the attack, the National Government has decided that the AMIA case is an Argentine state case..."



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